

THE HONORABLE BARBARA J. ROTHSTEIN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

WADE K. MARLER, DDS, *et al.*,

Plaintiffs,

v.

ASPEN AMERICAN INSURANCE  
COMPANY,

Defendant.

NO. 2:20-cv-00616-BJR

KARA MCCULLOCH DMD MSD PLLC, *et al.*,

Plaintiffs,

v.

VALLEY FORGE INSURANCE  
COMPANY, *et al.*,

Defendants.

NO. 2:20-cv-00809-BJR

CABALLERO,

Plaintiff,

v.

MASSACHUSETTS BAY INSURANCE  
COMPANY,

Defendant.

NO. 3:20-cv-05437-BJR

STIPULATION AND PROPOSED ORDER ALLOWING  
PLAINTIFFS TO FILE A SINGLE OMNIBUS OPPOSITION BRIEF  
(Case Nos. 2:20-cv-00616-BJR; 2:20-cv-00809-BJR; 3:20-cv-05437-  
BJR; 2:20-cv-00627-BJR; 2:20-cv-00620-BJR; 2:20-cv-00597-BJR;  
2:20-cv-01176-BJR) - 1

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CHORAK, *et al.*,

Plaintiffs,

v.

HARTFORD CASUALTY INSURANCE  
COMPANY, *et al.*,

Defendants.

NO. 2:20-CV-00627-BJR

PACIFIC ENDODONTICS, P.C., *et al.*,

Plaintiffs,

v.

OHIO CASUALTY INSURANCE  
COMPANY, *et al.*,

Defendants.

NO. 2:20-CV-00620-BJR

NGUYEN, *et al.*,

Plaintiffs,

v.

TRAVELERS CASUALTY INSURANCE  
COMPANY OF AMERICA, *et al.*,

Defendants.

NO. 2:20-cv-00597-BJR

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LA COCINA DE OAXACA LLC,

Plaintiff,

v.

TRI-STATE INSURANCE COMPANY OF  
MINNESOTA,

Defendant.

NO. 2:20-CV-01176-BJR

**STIPULATION**

1. Pursuant to this Court's Minute Order dated November 24, 2020 (the "Scheduling Order"), the seven sets of Insurer-Family Defendants in the above-captioned actions each responded to Plaintiffs' complaints by filing a motion to dismiss under Fed. R. Civ. P. 12 (the "Rule 12 Motions") on January 15, 2021.

2. The Scheduling Order applied LCR 7(e)(3), limiting each Defendant's motion to 24 pages. Collectively, Defendants' Rule 12 Motions used 147 pages, which was 21 fewer pages than the 168 pages they were allotted by the Scheduling Order.

3. Plaintiffs' oppositions to the Rule 12 Motions are due on February 12, 2021.

4. The Scheduling Order similarly provides Plaintiffs with 24 pages for each of their oppositions to the Rule 12 motions, for a total of up to 168 pages.

5. Having reviewed Defendants' Rule 12 Motions, Plaintiffs believe that it will be most efficient for the parties and the Court if they respond to the Rule 12 Motions by filing a single omnibus opposition brief in response. Plaintiffs will limit their omnibus opposition brief to 95 pages, clearly noting which portions of the briefs they are responding to.

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6. Defendants do not oppose Plaintiffs' request to respond to the Rule 12 Motions by a single omnibus opposition brief that is limited to 95 pages.

**Now, therefore,** the Plaintiffs' request, which Defendants do not oppose, to file an omnibus opposition brief limited to 95 pages should be granted.

**ORDER**

Having reviewed the parties' stipulation, and finding that good cause exists for the requested relief from LCR 7(e)(3), the Court hereby GRANTS the stipulation.

IT IS ORDERED that Plaintiffs may file a single omnibus opposition brief limited to 95 pages in response to Defendants' Rule 12 Motions.

DATED this 28<sup>th</sup> day of January, 2021.



Barbara J. Rothstein  
UNITED STATES DISTRICT JUDGE

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